

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY**

**EXECUTIVE COMMITTEE**

**MINUTES OF PUBLIC HEARING**

DATE..... August 7, 2002  
TIME..... 4:30 P.M.  
PLACE ..... CO. OFFICE  
BLDG.

20 N. 3<sup>RD</sup> STREET  
LAFAYETTE IN 47901

**MEMBERS PRESENT**

Jack Rhoda, President  
Jan Mills  
Jeff Kessler  
Mark Hermodson  
David Williams

**STAFF PRESENT**

James Hawley  
Sallie Dell Fahey  
Kathy Lind  
Larry Cuculic, Attorney  
Julie Holder

President Jack Rhoda called the meeting to order.

**I. APPROVAL OF MINUTES**

Jan Mills moved to approve the minutes of the July 3, 2002, Executive Committee public hearing as submitted. Mark Hermodson seconded and the motion carried by voice vote.

**II. NEW BUSINESS**

1. **RESOLUTION PD 02-07: WALDRON PLACE II PLANNED DEVELOPMENT (Z-2072)** Final Detailed Plans to replace 2 multi-unit residential buildings with a single 4-story building, housing 14 apartments with 30 bedrooms, and 30 parking spaces, at the southwest corner of 2<sup>nd</sup> and Waldron in West Lafayette, Wabash 19 (NW) 23-4.

Jan Mills moved to hear the above-described request. Mark Hermodson seconded the motion.

Sallie Fahey read staff comments with a recommendation for approval.

Paul Coutts, representing the petitioner, 1719 Monon Avenue Lafayette, IN 47904, stated they agreed with staff's comments. He requested approval of the request from the Committee.

The Executive Committee voted 5 yes – 0 no to approve **Resolution PD**

**02-07:Waldron Place II Planned Development (Z-2072).**

**III. PUBLIC HEARING**

Jan Mills moved that the Comprehensive Plan for Tippecanoe County, the Unified Zoning Ordinance of Tippecanoe County, and the Unified Subdivision Ordinance for Tippecanoe County, Indiana are hereby entered by reference into the record of each agenda item. Mark Hermodson seconded and the motion carried by voice vote.

**A. SUBDIVISIONS**

1. **S-3194—SKIDMORE MINOR SUBDIVISION (MINOR-SKETCH):**  
Petitioners are seeking primary approval for a 2-lot subdivision on 6.0 acres. The site is located on the east side of SR 43 N, approximately 1/4 mile south of the Soldiers Home Road intersection, in Section 6 of Burnetts Reserve in Tippecanoe 24-4.  
CONTINUED FROM THE JULY 17<sup>TH</sup> APC HEARING.

Jan Mills moved to hear and vote on the above-described subdivision. Mark Hermodson seconded.

Sallie Fahey read the staff report with a recommendation of condition primary approval contingent on the following conditions:

**FINAL PLAT** – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the existing driveway, a "No Vehicular Access" statement shall be platted along the SR 43 North right-of-way line.
2. INDOT (Indiana Department of Transportation) shall approve the existing entrance on SR 43 for the additional use by Lot 1 or a driveway permit to upgrade the entrance shall be issued..
3. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
4. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information (Document Number and date recorded).
5. All required building setbacks shall be platted.
6. The street addresses and County Auditor's Key Number shall be shown.

7. A platted easement in favor of the property to the south for any part of their driveway crossing petitioners' property.

**SUBDIVISION COVENANTS** – The following items shall be part of the subdivision covenants:

8. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.

Paul Coutts, representing the petitioner, stated this was a 2-lot subdivision on SR 43 by Soldiers Home Road and that they agreed with the staff's conditions and asked for conditional primary approval.

Jack Rhoda asked if this property was in the city or county limits.

Paul Coutts replied it was in the county.

The Commission voted by ballot 5 yes – 0 no to grant conditional primary approval of **S-3194—SKIDMORE MINOR SUBDIVISION (MINOR-SKETCH PLAN)**.

#### **IV. APPROVAL OF THE AUGUST 2002 APC PUBLIC HEARING AGENDA**

##### **A. FINAL DETAILED PLANS**

Jan Mills moved that the following Final Detailed Plans be placed under Public Hearing on the August 21, 2002 Area Plan Commission Public Hearing Agenda:

**RESOLUTION T-02-5**  
**RESOLUTION T-02-6**

Mark Hermodson seconded and the motion was carried by voice vote.

##### **B. UZO AMENDMENTS**

Jan Mills moved that the following UZO Amendment be placed under the Public Hearing on the August 21, 2002 Area Plan Commission Public Hearing Agenda:

**UZO AMENDMENT #31**

Mark Hermodson seconded and the motion was carried by voice vote.

##### **C. REZONING ACTIVITIES**

Jan Mills moved that the following rezones be placed under Public Hearing on the August 21, 2002 Area Plan Commission Public Hearing Agenda:

**Z-2061—DOROTHY M. BOLLOCK (R1 TO R2)**  
**Z-2075—COPPER BEECH TOWN HOMES COMMUNITITES, LLP (R1 TO R3)**  
**Z-2078—ROBERT CUMMINGS (R1 TO A)**  
**Z-2079—MIKE AULBY'S ARROWHEAD BOWL (I3 TO GB)**  
**Z-2080—GEORGE & RUBY TSAO, TRUSTEES (A TO R1)**  
**Z-2081—MIDA DEVELOPMENT GROUP, LLC (R1 TO R3)**

Mark Hermodson seconded and the motion was carried by voice vote.

### **C. SUBDIVISIONS**

Jan Mills moved that the following subdivision petitions be placed on the August 21, 2002 Area Plan Commission Public Hearing Agenda at petitioners' request, placement thereon being without reference to compliance or non-compliance with the adopted subdivision ordinance:

**S-3189—HUNTINGTON FARMS SUBDIVISION, PH. 3& 4 (MAJOR-PRELIMINARY)**  
**S-3196—EAGLES NEST FARMS PHASE 1, SECTIONS 1,2 & 3 (MAJOR-PRELIMINARY)**  
**S-3205—ROMNEY RUN, PHASE III (MAJOR-PRELIMINARY)**

Mark Hermodson seconded and the motion was carried by voice vote.

### **V. APPROVAL OF THE AUGUST 2002 AREA BOARD OF ZONING APPEALS PUBLIC HEARING**

Jan Mills moved that the following cases be placed under Public Hearing on the August 28, 2002 Area Board of Zoning Appeals Public Hearing Agenda:

**BZA-1616—WEST LAFAYETTE COMMUNITY SCHOOL CORP.**  
**BZA-1617—VINTAGE APARTMENTS, LLC**  
**BZA-1618—FROSTY MANAGEMENT, INC.**  
**BZA-1619—CINDY GREEN**  
**BZA-1620—WILDCAT WILDLIFE CENTER, INC.**  
**BZA-1621—WILDCAT WILDLIFE CENTER, INC.**  
**BZA-1622—CROWN COMMUNICATION, INC.**  
**BZA-1623—DAMIR URMEYER**

Mark Hermodson asked for clarification on BZA-1617—Vintage Apartments and if that was the correct location.

Sallie Fahey answered the question.

Mark Hermodson pointed out a grammatical error on BZA-1622—Crown Communications.

David Williams left the meeting.

Mark Hermodson seconded and the motion was carried by voice vote.

Jan Mills moved that the following BZA petition for special exception does not substantially adversely affect the comprehensive plan:

**BZA-1618—FROSTY MANAGEMENT, INC.  
BZA-1620—WILDCAT WILDLIFE CENTER, INC.  
BZA-1621—WILDCAT WILDLIFE CENTER, INC.  
BZA-1622—CROWN COMMUNICATIONS, INC.**

Mark Hermodson asked if the Wildcat Wildlife case does indeed go against the Comprehensive Plan.

Sallie Fahey commented that the AW zone would support that activity so it does not go against the Comprehensive Plan.

Mark Hermodson seconded and the motion carried by voice vote.

Jan Mills moved that with regards to the following BZA petition, the sign ordinance be strictly adhered to:

**BZA-1616—WEST LAFAYETTE COMMUNITY SCHOOL CORPORATION**

Mark Hermodson seconded and the motion carried by voice vote.

## **VI. DETERMINATION OF VARIANCES**

### **A. Lafayette Division of the Area Board of Zoning Appeals**

Jan Mills moved that the following requests for variance from the Unified Zoning Ordinance are not requests for use variance, prohibited from consideration by ordinance and statute:

**#2002-34—FAMILY EXPRESS CORP.  
#2002-35—LAFAYETTE REDEVELOPMENT  
#2002-36—HABITAT FOR HUMANITY  
#2002-37—S & E REALTY COMPANY, INC.**

Mark Hermodson seconded and the motion carried by voice vote.

Jan Mills moved that with regard to the following petitions, the sign ordinance be strictly adhered to:

**#2002-34—FAMILY EXPRESS CORP.**

**#2002-37—S & e REALTY COMPANY, INC.**

Mark Hermodson seconded and the motion carried by voice vote.

## **VII. REVIEW AND APPROVAL OF THE JULY 2002 BUDGET REPORT**

Jan Mills moved to accept the July 2002 budget report. Mark Hermodson seconded and the motion carried by voice vote.

James Hawley informed the Committee that he had filed to the County Council for extra legal funds to pay for the extra activity that the Zoning Enforcement Division has created.

## **VIII. OTHER BUSINESS**

Jack Rhoda asked when the next Ordinance Committee would be.

James Hawley stated it would be held on August 20, 2002. He informed the Committee that the mailing for Columbian Park Neighborhood rezone went out on August 6, 2002.

## **IX. ADJOURNMENT**

Jan Mills moved to adjourn the meeting. Mark Hermodson seconded and the motion carried by voice vote.

The meeting adjourned at 4:55 P.M.

Respectfully submitted,

Julie Holder  
Recording Secretary

Reviewed by,

James D. Hawley  
Executive Director